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Attorney Docket No.: 018563-004920US Client Reference No.: AT00106.2

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

On November 23, 2004

TOWNSEND and TOWNSEND and CREW LLP

Io Ann Evangelista

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MUHAMMAD CHISHTI et al.

Application No.: 10/788,510

Filed: February 27, 2004

For: SYSTEM AND METHOD FOR

POSITIONING TEETH

Customer No.: 46718

Examiner: John J. Wilson

Art Unit: 3732

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER

37 CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Electronic copies of the references are enclosed on 1 CD-ROM disk.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The references cited in the accompanying PTO/SB/08A and PTO/SB/08B, were identified by either or both parties in litigation between Align Technology, Inc., assignee of the

Application No.: 10/788,510

Page 2

above-referenced patent application, and Ormco Corporation in case no. SACV 03-16-GLT

(ANX) before the U.S. District Court, Central District of California, Southern Division, as being

potentially relevant to the design, fabrication, and/or use of removable orthodontic appliances

and/or to the use of computers or other automatic means for calculating final or intermediate

tooth positions for orthodontic treatment.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the

information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses

all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or

Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please

deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin Reg. No. 29,541

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Scott M. Smith, M.D.

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NOV 2 6 2004 U. Substitute for form 1449A/PTO

TRADEM!

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 10

	Complete if Known
Application Number	10/788,510
Filing Date	February 27, 2004
First Named Inventor	CHISHTI, MUHAMMAD
Art Unit	3732
Examiner Name	Wilson, John J.
Attorney Docket Number	018563-004920US

			U.S. PATENT D	OCOMENTS*	
Examiner Initials*	Cite No.1	Document Number  Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	2,467,432	04-19-1949	Kesling	· iga.co · ippea
	AB	3,660,900	05-09-1972	Andrews	
	AC	3,860,803	01-14-1975	Levine	
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	ВО	5,184,306	02-02-1993	Erdman et al.	
Examiner Signature				Date Considered	•

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Substitu	ute for form 1449A/P	то		Complete if Known		
				Application Number	10/788,510	
INF	ORMATION	N DIS	SCLOSURE	Filing Date	February 27, 2004	
STA	TEMENT E	BY A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD	
				Art Unit	3732	
	(use as many sheets as necessary)			Examiner Name	Wilson, John J.	
Sheet	2	of	10	Attorney Docket Number	018563-004920US	

		·	U.S. PATENT D	OCUMENTS+	
Examiner Initials*	Cite No.1	Document Number  Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	BS	5,278,756	01-11-1994	Lemchen et al.	
	ВТ	5,338,198	08-16-1994	Wu et al.	•
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	No.1	Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>6</sup>	
	СТ	EP	091,876	A1	10-19-1983	Duret			
	CU	EP	299,490	A2	01-18-1989	Steinbichler et al.			
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	CW	EP	490,848	B1	06-17-1992	Andersson et al.			
	СХ	EP	541,500	A1	06-12-1998	Andersson et al.			

Examiner Signature	Date Considered	

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Substitut	e for form 1449A/PT	0		Complete if Known		
				Application Number	10/788,510	
INFO	PRMATION	DIS	SCLOSURE	Filing Date	February 27, 2004	
STATEMENT BY APPLICANT				First Named Inventor	CHISHTI, MUHAMMAD	
	•			Art Unit	3732	
(use as many sheets as necessary)				Examiner Name	Wilson, John J.	
Sheet	3	of	10	Attorney Docket Number	018563-004920US	

				<b>FOREIGN PA</b>	TENT DOCUME	ENTS		_
-	0.1	For	eign Patent Docu	ıment		Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Examiner Cite No.1		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>s</sup> (if known)	Publication Date MM-DD-YYYY	Applicant of Cited  Document	Passages or Relevant Figures Appear	T <sup>6</sup>
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-	DA	FR	2,652,256	A1	03-29-1991	Jourda		
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	DC	wo	90/08,512	A1	08-09-1990	Lemcren		
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	DG	wo	98/58,596	A1	12-30-1998	Chishti et al.		

Examiner Signature	Date Considered	

Substitute f	or form 1449B/PTC	)		Complete if Known		
INIFO	DES ATION	DIC	CL OCUDE	Application Number	10/788,510	
			CLOSURE	Filing Date	February 27, 2004	
STAT	EMENT B	ΥA	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD	
				Art Unit	3732	
(use as many sheets as necessary)			necessary)	Examiner Name	Wilson, John J.	
Sheet	4	of	10	Attorney Docket Number	018563-004920US	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2
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Examiner Date Signature Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

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			CLOSURE	Filing Date	February 27, 2004	
STAT	EMENT B	ΥA	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD	
				Art Unit	3732	
(use as many sheets as necessary)			necessary)	Examiner Name	Wilson, John J.	
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	EI	CROOKS, "CAD/CAM Comes to USC," USC Dentistry, (Spring 1990) pp. 14-17.	
	EJ	CURETON, "Correcting malaligned mandibular incisors with removable retainers" <i>J. Clin. Orthod.</i> , 30:390-395, 1996.	
	EK	CURRY et al., "Integrated Three-Dimensional Craniofacial Mapping at the Craniofacial Research Instrumentation Laboratory/University of the Pacific," Seminars in Orthodontics, Vol. 7, No. 4 (Dec. 2001), pp. 258-265.	
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Examiner	Date	
Signature	Considered	

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Substitute	for form 1449B/P	то		Complete if Known			
INITA		ı Dic		Application Number	10/788,510		
			CLOSURE	Filing Date	February 27, 2004		
STAT	EMENT E	BY A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD		
				Art Unit	3732		
(1	use as many si	heets as	necessary)	Examiner Name	Wilson, John J.		
Sheet	6	of	10	Attorney Docket Number	018563-004920US		

		NON PATENT LITERATURE DOCUMENTS	
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	EQ	DURET et al, "CAD-CAM in Dentistry," Journal of the American Dental Association, Vol. 117 (Nov. 1988), pp. 715-720.	
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Examiner	Date	
Signature	Considered	
Signature	Oorisidered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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STATEMENT BY APPLICANT	First Named Inventor	CHISHTI, MUHAMMAD			
	Art Unit	3732			
(use as many sheets as necessary)	Examiner Name	Wilson, John J.			
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Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

Substitute f	or form 1449B/PTC			Complete if Known		
INITO	TALATION!	DIC	CLOCUPE	Application Number	10/788,510	
	<del>-</del> ·	_	CLOSURE	Filing Date	February 27, 2004	
STAT	EMENT B	ΥA	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD	
				Art Unit	3732	
(u	ise as many she	ets as	necessary)	Examiner Name	Wilson, John J.	
Sheet	8	of	10	Attorney Docket Number	018563-004920US	

		NON PATENT LITERATURE DOCUMENTS	,
Examiner nitials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т
	FT	MCNAMARA et al., Orthodontic and Orthopedic Treatment in the Mixed Dentition, Needham Press, January 1993. pp.347-353.	
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	GZ	VAN DER ZEL, "Ceramic-fused-to-metal Restorations with a New CAD/CAM System," Quintessence International, vol. 24(11) (1993), pp. 769-778.	
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